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 17 on behalf of themselves and all others similarly situated

18 UNITED STATES DISTRICT COURT  
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA

20 CARIN and EDWARD MILLIGAN,  
 21 California residents, on behalf of themselves  
 22 and all others similarly situated,

23 Plaintiffs,

24 v.

25 TOYOTA MOTOR SALES, U.S.A., INC., a  
 26 California corporation and TOYOTA MOTOR  
 27 NORTH AMERICA, INC., a New York  
 28 corporation,

Defendants.

Case No. C09-05418 RS

**STIPULATION AND [PROPOSED]  
 ORDER RESCHEDULING  
 HEARING ON DEFENDANTS'  
 MOTION TO DISMISS SECOND  
 AMENDED COMPLAINT AND  
 MODIFYING BRIEFING  
 SCHEDULE**

**CLASS ACTION**

WHEREAS Plaintiffs filed a Second Amended Complaint on March 9, 2010;  
 WHEREAS Defendant filed a Motion to Dismiss Second Amended Complaint on  
 March 30, 2010 with a hearing date of July 29, 2010; and

WHEREAS the parties have agreed to explore the possibility of settling this matter and further agree that rescheduling the hearing on Defendant's Motion to Dismiss to September 30, 2010, from the present scheduled date of July 29, 2010, will allow the parties to further engage in settlement negotiations.

THEREFORE, the parties agree and stipulate as follows:

The briefing schedule and hearing date regarding Defendant's Motion to Dismiss Plaintiffs' Second Amended Complaint shall be modified as follows:

Deadline for Plaintiffs' Response	September 9, 2010
Deadline for Defendant's Reply	September 16, 2010
Hearing	September 30, 2010

RESPECTFULLY SUBMITTED AND DATED this 6th day of July, 2010.

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Attorneys for Defendants

### ORDER

Based on the foregoing stipulation of the parties and good cause appearing, therefore it is SO ORDERED that the briefing schedule and hearing date regarding Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint be modified as follows:

Deadline for Plaintiffs' Response	September 9, 2010
Deadline for Defendant's Reply	September 16, 2010
Hearing	September 30, 2010

Dated: July 7, 2010



RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

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